



SEP 28 2004

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CANTOR COLBURN LLP 860-286-0115

NO. 527

P.3

**NOTICE OF APPEAL FROM THE PRIMARY EXAMINER TO
THE BOARD OF PATENT APPEALS AND INTERFERENCES (Small Entity)**Docket No.
NOV-0001

In Re Application Of: CHEN

Application No.	Filing Date	Examiner	Customer No.	Group Art Unit	Confirmation No.
10/072,823	February 8, 2002	M.V. Meller	23413	1654	1435

Invention: ANTI-CANCER AGENTS AND METHOD AND USE THEREOF

COMMISSIONER FOR PATENTS:

Applicant(s) hereby appeal(s) to the Board of Patent Appeals and Interferences from the decision of the Primary Examiner dated July 28, 2004 finally rejecting Claim(s) 1-9, 11-16, 18-23, 26-29, 32-35.

Applicant is a small entity under 37 CFR 1.9 and 1.27.

Applicant claims small entity status. See 37 CFR 1.27

The fee for this Notice of Appeal is: \$165.00

A check in the amount of the fee is enclosed.

The Director has already been authorized to charge fees in this application to a Deposit Account.

The Director is hereby authorized to charge any fees which may be required, or credit any overpayment to Deposit Account No. 06-1130

Payment by credit card. Form PTO-2038 is attached.

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

Karen A. LeCuyer
Signature

Dated: September 28, 2004

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I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to the "Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450" (37 CFR 1.8(a)).

(Date)

Signature of Person Mailing Correspondence

Leila Leahy via fax: (703) 746-4000

Typed or Printed Name of Person Mailing Correspondence